

Rt. 8, Frederick, Md. 21701

1/19/75

Dear Tris Coffin,

I appreciate your letter of the 27th very much. One always hopes for this reaction but in dealing with a taboo rarely gets it from fellow writers most of who carry prejudices that hide (in many cases) guilt feelings. I've just challenged Joe Goulden to a debate, with all the reinforcements he can get and with "impert to be the "impartial" moderator if they'll arrange a jury of our peers, the National Press Club.

Your analysis is good and it is logical but I think has one error in it: Hoover need not have assumed the CIA did the leaking. In this case I know they didn't. What I don't know is what Hoover knew. I do know the source and it is not as represented in the official documents. I used those in the book for other purposes. In Agent Oswald, when I can return to that book I had to lay aside, I will tell the entire story to the degree it will hurt nobody. (Several FBI agents have already been hurt. I wonder that Hoover dared be so needlessly vicious with them.)

This is not to say you are wrong about Hoover's paranoia. You are right and it goes back to before CIA. He was the same way with OSS when I was in it. He wanted a total monopoly.

The reality is much more complicated than either the transcript or the book say. If you ever come up, as once we discussed, I'll tell you more. It will fascinate you. More Byzantine than Watergate.

I'll be sending members of the new Senate committee copies of the book. One had one from the first.

When Jim Lesar told me you had a copy of the new book, I wondered if you would care to tell those who get your newsletter how they can get it? Almost nowhere is it in commercial distribution. I trusted one wholesaler who had gypped me on the earlier books in the hope he would put it out in Washington. If he has it is news to me. The other one and the only one I've dealt with who hasn't not paid me is in New York. They not only did not put it out, they denied they had it. So the chances of buying one except from me is negligible. And I do believe people should be able to examine documents like these with confidence that they are the original documents.

The only literature I have on it is the enclosed flyer.

I am aware of what Tom Boggs told Kessler. I'd like to talk to him but most of these people are reluctant to talk to one who has written what I have. Russell wasn't. It would be good if Tom Boggs or the friends of Earl Warren could come to understand how all the members of the Commission were had. This does not excuse them for their own errors, in my view, but it does give at least a partial explanation. This is an aspect of my work that has been ignored. It is, in fact, the doctrine of the Introduction to the first book.

I'd like to write you at greater length about matters I believe would interest you but it is impossible. I'm close to your age and work from 4-5 a.m. until after 11 p.m. and still can't keep up. I've not been able to finish the conclusions of a Watergate book I laid aside in September for the work Jim Lesar and I did in the Ray case beginning then. And there is much in the draft of that Watergate book that also could interest an investigating committee. I think there is a good magazine piece in Jim and what he has done that is not known. The Ray case is his first real one. He took the D.C. bars after he started working on it. Yesterday the Supreme Court, in refusing the State cert, upheld a precedent that may be as important as Miranda and Esposito: the right to discovery in habeas corpus proceedings. What this can mean in political cases, I believe, is enormous.

Jim and I went to Memphis to try to exercise this discovery October 1. We got there the night before, after a day in Nashville, me with Ray at the jail and Jim going over a law firm's files to which we had been given access by the judge. Everyone - the State, the cops, the DA, the public defender, the sheriff and the entire Establishment - was determined to foil us. They were able to spin our wheels. But once we established a willingness to confront the judge with having to consider holding them in contempt - as we did - and were willing to fight the State openly and vigorously, we did get enough. Maybe 5 % but sensational. Even the written directives to violate Ray's Constitutional rights, samples of intercepted communications with all his prior counsel and the judge (that one was a registered letter, too), notes he'd made for his own defense and for discussion with his lawyers (taken from his cell without his knowledge by his captors) with receipts by the DA for these illegalities and I can't begin to remember all. The rottenest contracts you ever saw, totally unknown until then.

The State never knew what we knew and could prove and had samples of. We showed them one handwritten note by the DA they didn't know we had and they even lied about who had written it. With the other demonstrations of our knowing our stuff they were confronted with a serious problem: what would we pull in court if they did not comply with the discovery orders.

We even had them dredging the former DA's basement and coming up with stolen files!

I am not a lawyer. Jim has not yet taken his first case before a jury. So we did have a few handicaps. But with them Jim has established this significant precedent. Until the Nixon court can accept a case in which the horrors can't be presented to it as we did in slight measure in Jim's brief and all officialdom knew we could add to.

For a first-case lawyer this and what else he did is, I think, a legitimate story.

His first - only - deposition was of Percy Foreman. Foreman did not show up for the hearing. Neither did Bill Huie. (Part of what he has on both is in my Frame-Up. Discovery added considerable despite non-compliance.) Foreman fled a TV studio in the Spring of 1971 when he learned while the make-up was being put on that he was going to confront me.

These people have power. But they fear and hate us. The State assistant AG was saying openly that he was going to "get" me. But he chickened out.

However, I have seen nowhere any reference to the precedent nature of what has already been accomplished in this case with an entirely pro bono defense and with the State still intercepting Ray's defense mail. Even after we proved they had been doing it. Private communication has been impossible. And is.

Again thanks.

Best regards,